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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,109	11/30/2001	Sean S. Josephson	15-NM-6150 (070191-0324)	4424

7590 01/20/2004

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EXAMINER

CONLEY, FREDRICK C

ART UNIT	PAPER NUMBER
3673	

DATE MAILED: 01/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/998,109

Applicant(s)

JOSEPHSON ET AL.

Examiner

Fredrick C Conley

Art Unit

3673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 19 is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 7, 9-14, 16-18, 20 and 21 is/are rejected.
- 7) ☒ Claim(s) 5, 8 and 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 4, 6, 9-10, 12-13, 16-18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 4,105,923 to Hynes in view of U.S. Pat. No. 4,641,823 to Bergman.

In reference to claim 1, Hynes discloses a patient transport system comprising:
an elongated member 20 having an upper surface configured to support a patient;

a coupling mechanism attached to the elongated member configured to removably couple the elongated member to an imaging system (col. 8 lines 21-29).
Hynes fails to disclose a second coupling mechanism. Bergman discloses a mobile transport table having coupling mechanism 32 attached to an elongated member configured to removably couple the elongated member to a magnetic resonance imaging system. It would have been obvious to one having ordinary skill in the art at the time of the invention to employ a second coupling mechanism in order to attach the elongate member to a patient cradle of an MRI system.

In reference to claim 2, wherein the elongated member comprising a cradle 18 and a table 16 wherein the cradle rest on the table (Bergman)

In reference to claim 3, Hynes discloses a patient transport comprising:
an elongated member 20 having an upper surface configured to support a patient;

a coupling mechanism integrally attached to the elongated member configured to removably couple the elongated member to an imaging system (col. 8 lines 21-29).

Hynes fails to disclose a second coupling mechanism. Bergman discloses a mobile transport table having coupling mechanism 32 integrally attached to a patient cradle 16 and configured to removably couple the elongated member to a magnetic resonance imaging system wherein the elongated member comprising a cradle 18 and a table 16 wherein the cradle rest on the table (Bergman). It would have been obvious to one having ordinary skill in the art at the time of the invention to employ a second coupling mechanism in order to attach the elongate member to a patient cradle of an MRI system.

Regarding claim 4, wherein the second imaging system is an X-ray imaging system having a pedestal 22, wherein the second coupling mechanism is configured to be removably coupled to the pedestal of the X-ray system (Hynes).

In reference to claim 6, Hynes discloses a patient transport system for transporting a patient from a magnetic resonance imaging system to a second imaging system, the patient transport system comprising:

an elongated member 20 having an upper surface configured to support a patient;

a coupling mechanism attached to the elongated member configured to removably couple the elongated member to an imaging system (col. 8 lines 21-29);
Hynes fails to disclose a second coupling mechanism. Bergman discloses a mobile transport table having coupling mechanism 32 attached to the end of an elongated member configured to removably couple the elongated member to a magnetic resonance imaging system. It would have been obvious to one having ordinary skill in the art at the time of the invention to employ a second coupling mechanism in order to attach the elongated member to a patient cradle of an MRI system.

In reference to claim 9, Hynes discloses a patient transport system comprising an elongated patient support member 20 having a first end opposite a second end, wherein the first end is configured to be coupled to an X-ray imaging device (col. 8 lines 21-29).
Hynes fails to disclose a second coupling mechanism. Bergman discloses a mobile transport table having coupling mechanism 32 attached to the end of an elongated member configured to removably couple the elongated member to a magnetic resonance imaging system. It would have been obvious to one having ordinary skill in the art at the time of the invention to employ a second coupling mechanism in order to attach the elongated member to a patient cradle of an MRI system.

Regarding claims 10 and 18, wherein the elongated patient support is suitable for use in both magnetic resonance imaging environment and an X-ray imaging environment.

Regarding claims 12 and 20, further comprising a plurality of wheels (col. 8 lines 42-43)(Hynes).

Regarding claim 13, wherein the elongated patient support member comprising a table 52 and a patient cradle 66 resting on the table, wherein the table comprises a mounting surface configured to receive the patient cradle in a substantially fixed relationship wherein the table includes a plurality of wheels configured to roll the elongated patient support member on the floor (col. 8 lines 43-57)(Hynes).

Regarding claim 14, further comprising a manually-actuated locking mechanism 30 configured to couple the patient cradle to the table in a fixed relationship (Bergman).

In reference to claim 16, Hynes discloses a patient transport system comprising: a patient support surface 20 comprising a first end compatible with a first coupling arrangement on an imaging system (col. 8 lines 21-29). Hynes fails to disclose a second coupling mechanism. Bergman discloses a mobile transport table having coupling mechanism 32 attached to an elongated member configured to removably couple the elongated member to a magnetic resonance imaging system. It would have been obvious to one having ordinary skill in the art at the time of the invention to employ a second coupling mechanism in order to attach the elongate member to a patient cradle of an MRI system.

Regarding claim 21, wherein the first coupling arrangement comprises an actuator 22 and the actuator is actuated by a human operator/technician.

In reference to claim 17, Hynes discloses a patient transport system comprising:

a patient support surface 20 comprising a first end compatible with a first coupling arrangement on an imaging system (col. 8 lines 21-29). Hynes fails to disclose a second coupling mechanism. Bergman discloses a mobile transport table having coupling mechanism 32 attached to an elongated member configured to removably couple the elongated member to a magnetic resonance imaging system. It would have been obvious to one having ordinary skill in the art at the time of the invention to employ a second coupling mechanism in order to attach the elongate member to a patient cradle of an MRI system.

Claims 7 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 4,105,923 to Hynes in view of U.S. Pat. No. 4,641,823 to Bergman and U.S. Pat. No. 4,145,612 to Cooper.

In reference to claims 7 and 11, Hynes discloses all of the Applicant's claimed limitations except for the elongated member comprised of Kevlar. Cooper discloses an elongated member comprised of Kevlar (col. 3 lines 28-30). It would have been obvious to one having ordinary skill in the art at the time of the invention to have the elongate member comprised of Kevlar in order to provide a composite that results in a scratch resistant patient support surface.

Allowable Subject Matter

Claim 19 is allowed.

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Claims 5, 8, and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments


Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fredrick C Conley whose telephone number is 308-7468. The examiner can normally be reached on m-th m-fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Shackelford can be reached on 308-2978. The fax phone numbers for the organization where this application or proceeding is assigned are 305-7687 for regular communications and 3057687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 308-2168.

FC

January 12, 2004


TERI PHAM LUU
PRIMARY EXAMINER